Basic information

2004/2183(INI) INI - Own-initiative procedure	Procedure completed
Bulgaria's progress towards accession. Strategy paper and 2004 report **Subject** 8.20.01 Candidate countries **Geographical area** Bulgaria	

Key players

European Parliament

Committee responsible	Rapporteur	Appointed
AFET Foreign Affairs	VAN ORDEN Geoffrey (PPE-DE)	13/09/2004

Committee for opinion	Rapporteur for opinion	Appointed
DEVE Development	The committee decided not to give an opinion.	
INTA International Trade	The committee decided not to give an opinion.	
BUDG Budgets	DÜHRKOP DÜHRKOP Bárbara (PSE)	26/10/2004
CONT Budgetary Control	The committee decided not to give an opinion.	
ECON Economic and Monetary Affairs	The committee decided not to give an opinion.	
EMPL Employment and Social Affairs	The committee decided not to give an opinion.	
ENVI Environment, Public Health and Food Safety	The committee decided not to give an opinion.	
ITRE Industry, Research and Energy	The committee decided not to give an opinion.	27/10/2004

IMCO Internal Market and Consumer Protection	The committee decided not to give an opinion.	
TRAN Transport and Tourism	The committee decided not to give an opinion.	
REGI Regional Development	The committee decided not to give an opinion.	
AGRI Agriculture and Rural Development	The committee decided not to give an opinion.	
PECH Fisheries	The committee decided not to give an opinion.	
CULT Culture and Education	The committee decided not to give an opinion.	
JURI Legal Affairs	The committee decided not to give an opinion.	
LIBE Civil Liberties, Justice and Home Affairs	The committee decided not to give an opinion.	
AFCO Constitutional Affairs	The committee decided not to give an opinion.	
FEMM Women's Rights and Gender Equality	The committee decided not to give an opinion.	
PETI Petitions	The committee decided not to give an opinion.	

European Commission

Commission DG	Commissioner
Neighbourhood and Enlargement Negotiations	

Key events

Date	Event	Reference	Summary
06/10/2004	Non-legislative basic document published	SEC(2004)1199	Summary
18/11/2004	Committee referral announced in Parliament		

30/11/2004	Vote in committee		Summary
06/12/2004	Committee report tabled for plenary	A6-0065/2004	
15/12/2004	Debate in Parliament		
16/12/2004	Decision by Parliament	T6-0110/2004	Summary
16/12/2004	Results of vote in Parliament		
16/12/2004	End of procedure in Parliament		

Technical information

Procedure reference	2004/2183(INI)
Procedure type	INI - Own-initiative procedure
Procedure subtype	Initiative
Legal basis	Rules of Procedure EP 55
Stage reached in procedure	Procedure completed
Committee dossier	AFET/6/23949

Documentation gateway

European Parliament

Document type	Committee	Reference	Date	Summary
Committee opinion	BUDG	PE349.905	25/11/2004	
Committee report tabled for plenary, single reading		A6-0065/2004	06/12/2004	
Text adopted by Parliament, single reading		T6-0110/2004 OJ C 226 15.09.2005, p. 0244-0351 E	16/12/2004	Summary

European Commission

Document type	Reference	Date	Summary
Supplementary non-legislative basic document	COM(2004)0657	06/10/2004	Summary
Non-legislative basic document	SEC(2004)1199	06/10/2004	Summary
Document attached to the procedure	COM(2005)0534	25/10/2005	Summary

Other institutions and bodies

Institution/body	Document type	Reference	Date	Summary
		CDR0497/2004		

CofR	Committee of the Regions: opinion	OJ C 031 07.02.2006, p. 0019-0022	06/07/2005	

Bulgaria's progress towards accession. Strategy paper and 2004 report

2004/2183(INI) - 25/10/2005

In presenting this Report the Commission fulfils the commitment made in its 2004 Strategy Paper *(please refer to the summary of the non-legislative base document of 06/10/2004*) and responds to a request expressed by the European Council in December 2004 to continue to submit annual reports on Bulgaria and Romania's progress towards accession, together with recommendations if appropriate. This Report assesses the countries' preparedness for membership, identifies remaining gaps and presents steps to be taken for dealing with these (sometimes serious) gaps. It reflects the situation at the end of September 2005.

Main points of the Commission's analysis: for further details regarding the Commission's conclusions on the level of preparedness for EU membership of Bulgaria and Romania, please refer to the summaries of the specific regular reports – SEC(2005)1352 and SEC(2005)1354:

1) The Commission confirms that Bulgaria and Romania meet the political criteria for membership. Nevertheless, further efforts are needed in particular to strengthen the rule of law, by improving public administration and the justice system and by fighting corruption effectively.

2) Bulgaria and Romania fulfil the requirement of being a functioning market economy. Bulgaria's continuation of the current pace of its reform path and Romania's vigorous implementation of its structural reform programme should enable them to withstand competitive pressure and market forces within the EU.

3) Both countries have continued to make progress in adopting and implementing EU legislation. In most areas they are well advanced. However, the Commission has also identified a number of areas where increased efforts are required. The authorities in both countries should vigorously pursue their preparations in order to ensure the full benefit of membership for their citizens.

Areas of concern: There are a limited number of specific gaps in both countries' preparations which give cause for serious concern. Without immediate action Bulgaria and Romania will most likely not be able to fulfil their obligations in those specific areas by 1 January 2007. Both countries will need to pay attention to reinforcing their administrative and judicial capacity in order to adequately implement and enforce the required legislation. Vigorous steps will need to be taken in the fight against corruption and in the reforms of the justice system and the public administration in order to ensure the proper functioning of the rule of law. This will involve, at all government levels, precise activity planning, setting priorities, adopting measures and ensuring an adequate allocation of the necessary financial and human resources. The Commission will continue its various monitoring activities until accession.

Financial assistance: The EU will continue to provide substantial financial assistance to both countries in order to help them prepare for membership. In 2006 approximately EUR 1 155 million will be reserved for Romania and approximately EUR 545 million for Bulgaria.

Depending on the nature of the problem, EU support could take the form of peer assistance, training seminars, advice missions, twinning (light) projects or similar instruments, which can be mobilized quickly and can be focused on well-targeted issues. Equally, a number of existing EU programmes (such as Customs 2007, Fiscalis, and other programmes) can be used to address gaps in both countries.

Next steps: The main remaining problems will be followed up in warning letters. On-site peer reviews and specific consultations will be held to ascertain the steps taken by Bulgaria and Romania; where needed, the Union will rapidly mobilise targeted assistance. The results of this follow-up will feed into a monitoring report which the Commission intends to present to the Council and Parliament in April/May 2006. At that moment, the Commission may recommend that the Council postpone the accession of Bulgaria or Romania until 1 January 2008 if there is a serious risk of any of those states being manifestly unprepared to meet the requirements of membership by January 2007 in a number of important areas. The Commission expects Bulgaria and Romania to take all necessary corrective actions until then so as to avoid having to issue such a recommendation.

Conclusion: The Report shows that both countries have made good progress in their preparations. They should be able to meet the requirements of EU membership at the envisaged date of accession on 1 January 2007 provided they concentrate all efforts on the reforms, with particular attention to their actual implementation.

Bulgaria's progress towards accession. Strategy paper and 2004 report

2004/2183(INI) - 06/10/2004

PURPOSE : to present the Strategy Paper of the European Commission on progress in the enlargement process - revision of the a pre-accession strategy for Croatia.

CONTENT : the enlargement of the EU to ten new Member States on 1 May 2004 has further strengthened the unity of the European continent. The historical and political arguments in favour of this enlargement are compelling: it enhances peace, prosperity, stability and security and has also produced substantial economic benefits.

The Commission proposes this new strategy paper for the actual candidates as well as Croatia whose candidature was accepted in June 2004. It also presents the content of a pre-accession strategy for Croatia including financial instruments.

Bulgaria and Romania are an integral part of this enlargement process which was launched in 1997. Both countries are close to completing the negotiations. The EU's objective is to welcome both countries in January 2007 as members, if they are ready.

The Regular Reports point to a number of areas where further improvements need to be made in the context of the political and economic criteria and in relationship to the adoption, implementation and enforcement of the acquis. These should be vigorously pursued in order to remedy before accession the shortcomings identified. In order to analyse progress and to facilitate successful membership of the European Union, the Commission will conduct an enhanced monitoring and regularly report to the Council. The Commission will issue as from November 2005 yearly comprehensive monitoring reports for the Council and the Parliament. The Commission considers that a specific safeguard needs to be introduced in the Accession Treaty which would allow the Commission to recommend to the Council to postpone the date of accession of either Bulgaria or Romania by one year to January 2008 if there is clear evidence that there is a serious risk that Bulgaria or Romania will be manifestly unprepared to meet the requirements of membership by 1 January 2007 in a number of important areas. The Commission recommends extending to Croatia the reinforced pre-accession strategy for candidate countries decided by the European Council in Luxembourg in December 1997.

CROATIA : the Brussels European Council in June 2004 concluded that Croatia is a candidate country

with which accession negotiations will start in early 2005 and requested the Commission to prepare a pre-accession strategy for Croatia. The Commission considers that the reinforced pre-accession strategy for candidate countries decided by the European Council in Luxembourg in December 1997 should be extended to Croatia. The elements of this strategy are outlined below.

The review procedure aimed at assessing candidate countries' progress towards membership will start to be applied to Croatia as of 2005. This will mean that the Commission will start issuing Regular Reports on Croatia as from autumn 2005. In the context of the Stabilisation and Association Process, the Commission has already proposed a European Partnership, based on the findings of its Opinion on Croatia's application for membership. This document will guide Croatia's accession preparations.

Croatia as a candidate country should benefit from all three pre-accession financial instruments: Phare for institution-building and economic and social cohesion, ISPA for environment and transport, and SAPARD for rural development. The Commission will propose amendments to the regulations for these three pre-accession instruments in order to extend their scope to Croatia as of 1 January 2005. Taking into account the needs for an adequate preparation of Croatia for accession, the Commission recommends that EUR 105 million (EUR 80 million for Phare and EUR 25 million for ISPA) are allocated to Croatia in 2005 and EUR 140 million in 2006 (EUR 80 million for Phare, EUR 35 million for ISPA, and EUR 25 million for SAPARD). These amounts will be financed out of the pre-accession funds available under heading 7 of the current financial perspectives. The Commission has proposed to Council to create a new pre-accession instrument (IPA), from which Croatia would benefit from 2007 onwards, building on the present pre-accession instruments Phare, ISPA and SAPARD. The amounts to

be allocated to Croatia from 2007 onwards will be decided in the context of the next financial perspective.

The Stabilisation and Association Agreement (SAA) signed with Croatia in October 2001 has now been ratified. In order to implement the trade-related aspects of the SAA, an Interim Agreement entered into force in March 2002. A Stabilisation and Association Council, Committee and Sub-Committees will be set up. The Commission proposes that the structures of the SAA be used not only to cover issues related to the implementation of the agreement, but also to serve as forums for the explanation of the acquis and review progress made by Croatia in the alignment of the acquis in line with commitments taken in the negotiations. The framework agreement allowing Croatia's participation in Community programmes and agencies should come into force in the first half of 2005, after ratification by the EU

institutions and Croatia. Croatia's financial contribution to each programme can be partly funded by Phare. In addition to the above mentioned elements for a reinforced pre-accession strategy, the

Commission considers that an enhanced political dialogue with Croatia should continue in order to tackle the issues highlighted in the Opinion. Such issues include the relations with the International Criminal Tribunal for the former Yugoslavia, minority rights, return of refugees, judiciary reform, regional co-operation and the fight against corruption. In particular, Croatia needs to remain committed to regional cooperation within the framework of the Stabilisation and Association Process for the Western Balkans. The Commission will closely monitor these issues in regular meetings with the Croatian authorities and will keep the Council informed.

The Brussels European Council in June 2004 decided that in advance of negotiations with Croatia, the Council will agree a general negotiating framework, taking full account of the experience of the fifth enlargement process. The Commission suggests that the framework should build on certain principles: - - the negotiations with Croatia should be guided by the conditions for accession as defined at the Copenhagen European Council in 1993. These conditions are adequate tools for measuring a candidate country's preparedness for meeting the obligations of membership, and provide for clear guidance in the reform process;

- progress in the negotiations will be fully dependent on the sustainability of political reforms and Croatia's fulfillment of its obligations in respect of regional cooperation with the other countries of former Yugoslavia and other related international obligations such as cooperation with ICTY;

- lastly, in line with the Treaty on European Union and the Constitution for Europe, the Commission will recommend the suspension of negotiations in the case of a serious and persistent breach of the principles of liberty, democracy, respect for human rights and fundamental freedoms and the rule of law on which the Union is founded. The Council should be able to decide on such recommendation by a qualified majority of Member States.

Bulgaria's progress towards accession. Strategy paper and 2004 report

2004/2183(INI) - 06/10/2004 - Non-legislative basic document

PURPOSE : to present the 2004 Regular Report on Bulgaria's progress towards accession.

CONTENT : this Report provides an overall assessment of the situation for each of the aspects under consideration, setting out for each of them the main steps still to be taken by Bulgaria in preparing for accession.

- Political criteria : since the Commission concluded in its 1997 Opinion that Bulgaria fulfilled the political criteria, the country has further consolidated and deepened the stability of its institutions guaranteeing democracy, the rule of law, human rights and respect for and protection of minorities. This trend has been confirmed over the past year. Bulgaria continues to fulfil the political criteria.

Tangible progress was made in public administration reform with the adoption of amendments to the Civil service law. The specific structures for co-ordinating European integration continue to function well, and in view of Bulgaria's aim of building a qualified and efficient civil service by the time of accession this progress needs to spread throughout the public administration. Also, interdepartmental coordination should improve. Attention should be given to the legal framework for local and regional administration, which will play an important role in the implementation of the acquis.

Building on important reforms of the judiciary system achieved in recent years, there have been positive developments with regard to the recruitment and appointment of judges. Still, certain key parts of the reform of the judiciary remain to be adopted. The complexity and efficiency of the penal structures, in particular in the pre-trial phase, is a matter of concern. Strong efforts will be necessary to foster Bulgaria's capacity to prosecute organised crime and corruption, which involves further reforms in the structures of the judiciary and of the police.

Bulgaria has implemented several measures in the fight against corruption, but it remains a problem. Renewed efforts are needed, including tackling high level corruption.

Bulgaria continues to respect human rights and fundamental freedoms. Further progress should be pursued in specific areas to improve their implementation in practice. Comprehensive legislation on anti-discrimination was adopted but the independent body required by the law has not yet been established. The freedom of expression is ensured by law. However, the legal framework regarding libel and defamation by journalists needs to be revised. Efforts to address inadequate living conditions in certain prisons and problems of ill-treatment in custody need to be sustained. Trafficking in human beings is a serious problem and needs to be addressed. A new law on public health should address most of the issues related to the placement of mentally disabled people. The structures responsible for child welfare and their co-ordination with the relevant ministries need to be reinforced.

Efforts have been made in the past years to develop a framework to tackle the problems faced by minorities, but the situation on the ground has not evolved much. Sustained efforts including allocation of appropriate financial resources will be necessary to effectively implement the intentions and to combat in particular anti-Roma prejudice.

- Economic criteria : the 1997 Opinion already acknowledged the substantial reform efforts undertaken by the Bulgarian authorities to transform their economy. Since the Opinion economic structure and performance have significantly improved. Macroeconomic stability has been achieved soon after the Opinion, profound economic reforms have been carried out over the entire period while the Bulgarian authorities' commitment to the economic requirements of EU accession has been sustained.

Hence, it is concluded that Bulgaria is a functioning market economy. The continuation of its current reform path should enable Bulgaria to cope with competitive pressure and market forces within the Union. Improvements can be made in sustaining macroeconomic stability and in deepening structural reforms. The current account deficit has widened substantially in 2003 and could, if continuing, warrant a further policy response. The business environment, in particular the efficiency of the administrative and judicial system as well as regulatory procedures, should be further improved to increase Bulgaria's attractiveness for investment. In spite of significant achievements, privatisation still needs to be completed. While the legal framework is largely in place, the actual restructuring and liberalisation of the network industries need to progress further in order to enhance competition and efficiency. The ongoing reduction in unemployment should be further supported by reducing rigidities in labour market regulation.

- Implementation of the acquis : Bulgaria has made good progress in adopting the acquis and more recently, has also made progress in gradually building up the administrative capacity to implement and effectively enforce the acquis. Over the past year, Bulgaria has made further progress in the vast majority of the chapters of the acquis and is on track to complete the required legislative transposition before the planned date of accession if the current pace of progress is maintained.

Overall, Bulgaria has now achieved a reasonable degree of alignment with the acquis in the large majority of areas. It is also on track in developing adequate administrative capacity to implement the acquis in a considerable number of fields. Bulgaria has established most of the necessary institutional structures. Nevertheless, in some sectors, further efforts and resources are required to strengthen the capacities of these institutions and to ensure their effective functioning. These sectors are as follows :

- internal market (free movement of goods, industrial products, foodstuff and food safety);

- free movement of persons, freedom to provide services, free movement of capital;

- company law, competition, taxation;

- agriculture, fisheries, telecommunications, environment, transport and energy;

- social policy and employment;

- regional policy and co-ordination of structural instruments;

- consumer and health protection;

- justice and home affairs (significant further efforts are needed to strengthen the law enforcement capacity and policy formulation in order to step up the fight against organised crime and corruption);

- customs;

- financial control (more effort is needed to ensure the protection of the EC financial interests and of the euro against counterfeiting, as to well as to further strengthening the administrative capacity to implement sound financial control systems).

In the accession negotiations, all 31 chapters have been provisionally closed. The commitments made in the negotiations are with a view to accession in 2007. Bulgaria is generally meeting the commitments that it has made during the negotiations although delays have been noted in specific areas.

In conclusion, the Commission expects Bulgaria to assume the obligations of membership in accordance with the envisaged timeframe. In the period leading up to accession, Bulgaria needs to continue its preparations, in line with the commitments it has made in the accession negotiations.

Bulgaria's progress towards accession. Strategy paper and 2004 report

2004/2183(INI) - 16/12/2004 - Text adopted by Parliament, single reading

The European Parliament adopted a resolution based on the own-initiative report by Geoffrey van ORDEN (EPP-ED, UK). (Please see the summary of 30/11/2004). The resolution was adopted by 527 votes in favour, 19 against and 21 abstentions. Parliament supported the Commission's conclusion that Bulgaria is a functioning market economy, as well as meeting the political criteria. It commended Bulgaria on its continuous GDP growth, significant decrease in the rate of unemployment and record levels of foreign direct investment while noting that unemployment is still high, that many people still fail to see improvement in their economic situation, and the emigration of highly qualified people, together with low mobility of regional labour forces, is creating shortages in some key sectors.